

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

ABDUL AJAMU,
AKA Donald Grady Jones,

Petitioner,

: Case No. 2:21-cv-5129

- vs -

District Judge Edmund A. Sargus, Jr.
Magistrate Judge Michael R. Merz

WARDEN,
Belmont Correctional Institution,

:

Respondent.

DECISION AND ORDER

This habeas corpus case is pending on the Magistrate Judge's Report recommending dismissal of the case for want of prosecution (ECF No. 8).

The Petition, filed four months ago on October 27, 2021, recites that Ajamu (also known as Donald Grady Jones) is serving a parole violation sentence stemming from rape convictions in December 1983 and a subsequent felonious assault conviction (Petition, ECF No. 1, PageID 2). Upon initial review of the Petition under Rule 4, the Magistrate Judge found it did not provide the information called for by Habeas Rule 2(d) and ordered Petitioner, who is represented by counsel, to file a conforming amended petition within a month (Order, ECF No. 4).

The day before the amended petition was due, Petitioner's counsel moved for another month's extension, citing as cause "[d]ue to the holiday season and numerous professional obligations including a two day felony trial in late December Counsel has not yet been able to

prepare an amended petition.” (Motion, ECF No. 5). The Court granted the extension by Notation Order, but warned that no further extensions would be granted (ECF No. 6). Then on the day before the extension was due to expire, counsel filed an Amended Petition (ECF No. 7) which still does not comply with the Habeas Rules. On that basis, the Magistrate Judge recommended dismissing the Case without prejudice for want of prosecution (Report and Recommendation, ECF No. 8).

Having had two weeks to object, Petitioner now seeks an additional month, claiming

Counsel has a child that has been in out patient therapy where he is dropping off and picking up all of his four children. He has also been involved in family therapy requiring additional time commitments. The term will end the first week in March and counsel can finish the objections by the late March date.

(Motion, ECF No. 9, PageID 34). Contrast this vague statement of conflicting family obligations with counsel’s proclamation of professional prowess on his website¹:

For every single client, we give our all. All of our tenacity, all of our experience, and all of our knowledge.

“Eric Allen is someone who will stop at nothing to fight for what is right. He represents his clients with vigor, passion and dedication. With a wealth of knowledge of both trial and appellate issues in criminal law, he utilizes his experience and creativity to establish the most effective defense for his clients.”²

In order to avoid yet more satellite litigation and to get this case to consideration of the merits:

IT IS HEREBY ORDERED:

1. The Report and Recommendation (ECF No. 8) is WITHDRAWN;

¹ <https://ericallencriminaldefense.com/>, visited February 27, 2022.

² The source of this purported quotation is not identified.

2. The pending Motion for Extension of Time is denied as moot; and
3. Petitioner's time to comply with the Order for an Amended Petition is EXTENDED to and including March 15, 2022.

Counsel is cautioned that failure to comply will result in significant professional sanctions.

February 27, 2022.

s/ Michael R. Merz
United States Magistrate Judge